

REMARKS

Claims 1 and 4-8 were pending in this application.

Claims 1 and 4-8 have been rejected.

Claims 1 and 4-8 have been amended as shown above.

Claims 9-22 have been added.

Claims 1 and 4-22 are now pending in this application.

Reconsideration and full allowance of Claims 1 and 4-22 are respectfully requested.

I. DRAWINGS

The Applicants hereby submit a replacement drawing sheet incorporating the approved amendments to Figure 4. The Applicants respectfully request entry and acceptance of this replacement sheet.

The Applicants have also amended Figure 5 to replace the word “Correlating” in the lower box with the word “Correlate”. The Applicants hereby submit a replacement drawing sheet incorporating these amendments to Figure 5. The Applicants respectfully request entry and acceptance of this replacement sheet.

II. OBJECTIONS TO CLAIMS

The Office Action objects to Claims 1 and 8 because of various informalities in the claims. The Applicants have amended Claims 1 and 8 to correct the noted informalities. The Applicants

respectfully request withdrawal of the objections to the claims.

III. REJECTIONS UNDER 35 U.S.C. § 102

The Office Action rejects Claims 1 and 7 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,044,105 to Gronemeyer (“*Gronemeyer*”). The Office Action rejects Claims 1 and 4-8 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,583,758 to King (“*King*”). The Applicants respectfully traverse these rejections.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP* § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. (*MPEP* § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985)).

Gronemeyer recites a method and apparatus for providing a spread spectrum matched filter with Doppler correction. (*Abstract*). The matched filter 40 includes a Doppler generator 50 and a complex mixer 52. (*Figure 3*). The Doppler generator 50 receives a desired Doppler value, and the magnitude of the Doppler value is added by an adder 50-2 to the output of an accumulator 50-3. (*Figure 3; Col. 6, Lines 35-47*). A state machine 50-4 is used to output values selected based on when the accumulator 50-3 overflows, where the overflow represents 45° of accumulated Doppler. (*Col. 6, Lines 47-50*). The output of the Doppler generator 50 represents a Doppler shift correction

value, which is used by the complex mixer 52. (*Col. 2, Line 65 – Col. 3, Line 2*). The Doppler generator 50 could also include a table of Doppler shift correction values. (*Col. 6, Lines 50-53*).

Claims 1 and 7 recite providing Doppler information relating to an “estimate of a variation in Doppler shift as observed on [a] target signal by [a] GPS receiver” and “modifying the target signal as a function of the Doppler information.”

The Applicants respectfully note that Claims 1 and 7 recite that the Doppler information relates to an estimate of the “variation” in Doppler shift. The Office Action fails to establish that the output of the Doppler generator 50 in *Gronemeyer* represents an estimate of the “variation” in Doppler shift observed on a target signal. In particular, the Office Action fails to explain how the sum of a “desired Doppler value” and an accumulator output represents an “estimate” of the “variation” in Doppler shift observed on a “target signal.” Moreover, *Gronemeyer* contains absolutely no mention that the output of the Doppler generator 50 represents an “estimate” of “variation” in Doppler shift. As a result, the Office Action fails to establish that *Gronemeyer* anticipates these elements of Claims 1 and 7.

The Patent Office previously argued that the “estimate of a variation in Doppler shift” is “met by any GPS receiver that provides a range of values of Doppler shifts since such defines an estimate of the variation of the Doppler shift.” (*10/23/03 Office Action, Page 4, Paragraph 6*). However, Claims 1 and 7 recite both “providing Doppler information relating to an estimate of a variation in Doppler shift” and “modifying [a] target signal as a function of the Doppler information.” In other words, the “target signal” is modified using information related to an “estimate of a variation in

Doppler shift.” While GPS receivers may adjust a signal using one Doppler shift value and separately adjust the signal using another Doppler shift value, this does not anticipate using information related to a “variation” in Doppler shift to modify a “target signal” as recited in Claims 1 and 7.

For at least these reasons, *Gronemeyer* fails to anticipate the Applicants’ invention as recited in Claims 1 and 7.

Regarding *King*, this application claims priority under 35 U.S.C. § 119 to two British patent applications filed on February 6, 2001 and February 9, 2001. This priority claim is contained in the Declaration and Power of Attorney filed on February 4, 2002. Also, this priority claim was acknowledged in the April 5, 2002 Filing Receipt.

King has a filing date of February 22, 2001. Because of that, this application has a priority date that precedes the earliest § 102(e) date of *King*. As a result, *King* cannot be cited as prior art against this application.

Accordingly, the Applicants respectfully request the withdrawal of the § 102 rejections and full allowance of Claims 1 and 4-8.

IV. NEW CLAIMS

The Applicants have added new Claims 9-22. The Applicants respectfully submit that no new matter has been added. The Applicants respectfully request entry and full allowance of Claims 9-22.

V. **CONCLUSION**

As a result of the foregoing, the Applicants assert that all pending claims in this application are in condition for allowance and respectfully request full allowance of all claims.

SUMMARY

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@davismunck.com*.

The Applicants have included the appropriate fee to cover the cost of a Request for Continued Examination and to cover the cost of a two (2) month extension of time. The Applicants do not believe that any additional fees are due. The Commissioner is hereby authorized to charge any additional fees connected with this communication (including any additional extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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Date: _____

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IN THE DRAWINGS

Please amend Figure 5 by replacing the word “Correlating” in the lower box with the word “Correlate”. The Applicants have included corrected drawings incorporating this amendment.